

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TODD BRINKMEYER

Petitioner,

v.

WASHINGTON STATE LIQUOR AND
CANNABIS BOARD,

Respondent.

Case No. 3:20-cv-05661-BHS

**DECLARATION OF TODD
BRINKMEYER IN SUPPORT OF
PETITIONER'S RESPONSE TO
RESPONDENT'S MOTION FOR
SUMMARY JUDGMENT**

I, Todd Brinkmeyer, hereby declare and state as follows:

1. I am the petitioner in this action, over the age of eighteen, have personal knowledge of the matters contained in the Declaration, and am competent to testify thereto.

2. After Scott Atkison and I agreed that he would transfer some of his interest in the Stores to me,¹ I asked my counsel Chris Masse to inquire whether the LCB would approve me to be licensed as an owner of the Stores. At the time, I expected that the Residency Requirements prevented me, an Idaho resident, from becoming a licensed owner because I did not reside in

¹ This declaration makes use of the same definitions as the Declaration of Todd Brinkmeyer in Support of Petitioner's Motion for Summary Judgment.

1 Washington. The Residency Requirements had previously deterred me from applying to be a
2 licensed owner. The LCB's confirmation that they would enforce the Residency Requirements
3 against me and not approve me to become a licensed owner due to my being an Idaho resident
4 further deterred me and continues to deter me from submitting an application to the LCB to become
5 a licensee.

6 *Pursuant to 18 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is*
7 *true and correct to the best of my knowledge.*

8 EXECUTED in Post Falls, ID on this 22nd day of February, 2022.

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10 _____
11 Todd Brinkmeyer
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DECLARATION OF SERVICE

I, Brie Geffre, hereby declare under penalty of perjury under the laws of the United States and the state of Washington that on this 22nd day of February, 2022, a copy of the foregoing document was served upon the attorneys of record in the above cause as follows:

Penny Allen, WSBA No. 18821
Ellen Range, WSBA No. 51334
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☐ via Hand Delivery
☐ via U.S. Mail
☐ via Facsimile
☒ via E-Service
☒ via Email

Attorneys for Respondent

Executed at Seattle, Washington, this 22nd day of February, 2022.

s/Brie Geffre

Brie Geffre, Legal Assistant